IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928

Bail Appl..No. 7283 of 2006()

CRMP.1217/2006 of SESSIONS COURT, WYNAD, KALPETTA
CRIME NO.252/06 OF VELLAMUNDA POLICE STATION

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PETITIONERS/ACCUSED

KOTILAN MOIDUTTY, S/O.SOOPY,
KOTILAN HOUSE, THARUVANA P.O.,
PORUNNANNOOR VILLAGE.

BY ADV. SRI.A.AHZAR
SRI.LALJI P.THOMAS

RESPONDENT: COMPLAINANT

S.I. OF POLICE,
VELLAMUNDA, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No.7283 OF 2006

DATED THIS THE 11TH DAY OF DECEMBER, 2006

O R D E R

Petitioner who is the accused in Crime No.252/06 of Vellamunda Police Station for an offence punishable under section 511 of 376 IPC, seeks anticipatory bail. The occurrence took place on 4.11.2006 at 11 AM, during which time the petitioner/accused who was carrying the de facto complainant in an autorickshaw had taken a diversion of the autorickshaw to a lonely place from where he had allegedly attempted to commit rape on her.

2. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not seek regular bail after surrendering before the Magistrate concerned. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this observation, this petition is dismissed.

V.RAMKUMAR, JUDGE

dsn